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RUEHIT/AMCONSUL ISTANBUL 3173

C O N F I D E N T I A L STATE 085455

SIPDIS

E.O. 12958: DECL: 08/17/2034

TAGS: [PINR](#) [PGOV](#) [PINS](#) [TU](#)

SUBJECT: (C) REQUEST FOR INFORMATION ON TURKISH POLITICAL AND LEGAL VIEWS ON ERGENEKON (C-RE9-01306)

Classified By: MICHAEL P. OWENS, ACTING DIR, INR/OPS. REASON: 1.4(C).

[11.](#) (C) WASHINGTON ANALYSTS CONTINUE TO FOLLOW THE ERGENEKON PROCESS AS THIS REMAINS AN ISSUE OF HIGH POLICYMAKER INTEREST AND APPRECIATE ANY IN ANY ADDITIONAL INSIGHTS POSTS CAN PROVIDE ON THE QUESTIONS BELOW. THANK YOU.

[1A.](#) (SBU) TURKISH POLITICAL VIEWS ON ERGENEKON:

- 1) (C) WHAT ARE THE JUSTICE AND DEVELOPMENT PARTY'S (AKP) MOTIVATIONS FOR THE INVESTIGATIONS AND ARRESTS? HOW SOLID IS THE EVIDENCE OF A CREI
- 2) (C) HOW MUCH INFLUENCE DOES THE PRIME MINISTRY WIELD OR SEEK TO IMPOSE ON THIS PROCESS, DIRECTLY OR OTHERWISE?
- 3) (C) WHAT INDICATIONS EXIST, IF ANY, THAT PM ERDOGAN WILL TRY TO RESTRAIN THE INVESTIGATION?
- 4) (C) WHAT INDICATIONS EXIST, IF ANY, THAT ERDOGAN WILL PURSUE THE INVESTIGATION UNTIL IT IS COMPLETED? WHAT IS THE LIKELY TGS RESPONSE TO THIS COURSE OF ACTION?

[1B.](#) (SBU) TURKISH LEGAL VIEWS ON ERGENEKON:

- 1) (C) WHAT ARE THE VIEWS OF THE JUDICIARY PROSECUTORS ON THESE INVESTIGATIONS AND THEIR PROGRESS?
- 2) (C) WHAT MEANS DO KEMALIST-ORIENTED AND/OR PRO-AKP JUDICIAL BUREAUCRATS HAVE AT THEIR DISPOSAL TO PRESSURE THE ERGENEKON PROSECUTORS? TO WHAT DEGREE HAVE THESE BUREAUCRATS ATTEMPTED TO COMPLICAT THE ERGENEKON PROSECUTORS' EFFORTS?
- 3) (C) WHO MAKES UP THE PROSECUTORIAL TEAM? TO WHOM DO THEY ANSWER, DIRECTLY AND ULTIMATELY? WHAT ARE THE DYNAMICS IN THE PROSECUTOR'S OFFI A CASE AGAINST ERDOGAN--REFLECT AN EFFORT TO COMBAT THE CASE THROUGH OTHER MEANS?
- 4) (C) TO WHAT EXTENT DO THE PROSECUTORS AND JUDGES IN THE CASE ALLOW POLITICAL MOTIVATION, PERSONAL AMBITION, THREATS AND RISK, OR UNDER-THE
- 5) (C) HOW DO JURISTS AND LAW PROFESSORS ASSESS THE LEGAL METTLE OF THE ERGENEKON INDICTMENTS?
- 6) (C) IN JANUARY 2009, THE SUPREME COURT OF APPEALS (YARGITAY) RULED THAT WIRETAPPING EVIDENCE ALONE IS INSUFFICIENT FOR A CONVICTION. HOW LIKELY IS IT THAT IT WILL BE SEEN AS PRECEDENT IN OTHER CASES LIKE ERGENEKON, WHICH HAS RELIED HEAVILY ON W
- 7) (C) WHAT ARE THE VIEWS OF THE FORMER MEMBERS OF THE CONSTITUTIONAL COURT, SUCH AS MUSTAFA BUMIN OR HASIM KILIC, OR OTHER LEADING JURISTS, ON THE ERGENEKON CASE?

[12.](#) (U) PLEASE CITE C-RE9-01306 IN THE SUBJECT LINE OF REPORTING IN RESPONSE TO THE ABOVE QUESTIONS.
CLINTON